

R E M A R K S

A. INTRODUCTION

Claims 1-27 are pending and rejected.

B. PROVISIONAL STATUTORY DOUBLE PATENTING REJECTION

Claims 1, 23 and 24 stand rejected provisionally under 35 U.S.C. § 101 as being the “same invention” as specified claims of U.S. Patent Application No. 11/424,009 and U.S. Patent Application No. 11/424,000. Applicants are grateful to the Examiner for pointing out the potentially conflicting subject matter.

C. NON-STATUTORY DOUBLE PATENTING REJECTION

Claims 1, 23 and 24 stand “rejected under the judicially created doctrine of obviousness-type double patenting” as being unpatentable over specified claims of U.S. Patent No. 6,012,983.

While we do not necessarily agree with this rejection, a terminal disclaimer is filed concurrently herewith solely to expedite the prosecution of the present application. Accordingly, the non-statutory double patenting rejection of Claim 1 and 23-24 is moot.

D. SECTION 103(A) REJECTIONS

Claims 1-14 and 18-27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Graves (U.S. Patent No. 5,830,067).

Claims 15-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Graves and Molnick (U.S. Patent No. 5,800,268).

We respectfully traverse the Examiner’s Section 103(a) rejection.

The Office Action finds that because Graves describes bingo games, it would have been obvious to modify the Graves system to automate game play at a slot machine. Applicants respectfully disagree.

Applicants respectfully submit that the claims are allowable over the Graves and Molnick reference for at least the reason that the cited references do not teach or suggest play (e.g., automated play) of a slot machine for a remote player, as generally provided for in independent Claims 1, 23, and 24. Further, nothing in any combination of Graves and Molnick suggests either initiating or terminating automated play of a slot machine, as provided for in independent Claim 1.

For at least these reasons, Applicants respectfully request the Examiner’s reconsideration and withdrawal of the Section 103(a) rejection of all of the pending claims (Claims 1-27).

E. ADDITIONAL COMMENTS

Our silence with respect to the Examiner's other various assertions not explicitly addressed in this paper, including assertions of what the cited reference(s) teach or suggest, the Examiner's interpretation of claimed subject matter or the Specification, or the propriety of any asserted combination(s) of teachings, is not to be understood as agreement with the Examiner. As the Examiner has not established an unrebuttable prima facie case for rejecting any of the claims as pending, for at least the reasons stated in this paper, we need not address all of the Examiner's assertions at this time. Also, the absence of arguments for patentability other than those presented in this paper should not be construed as either a disclaimer of such arguments or as an indication that such arguments are not believed to be meritorious.

F. PETITION FOR EXTENSION OF TIME TO RESPOND & AUTHORIZATION TO CHARGE APPROPRIATE FEES

We understand that a two-month extension of time to respond to the Office Action is necessary.

Please grant a petition for any extension of time required to make this Response timely. Please also charge any other appropriate fees set forth in 37 C.F.R. §§ 1.16 – 1.18 for this paper and for any accompanying papers to:

Charge: \$460.00

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G. CONCLUSION

It is submitted that all of the claims are in condition for allowance. The Examiner's consideration is respectfully requested.

If the Examiner has any questions regarding this paper or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

Respectfully submitted,

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Date

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